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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,768	02/06/2004	Hiroshi Shimizu	OMRNP07	5590
22434	7590	06/15/2005	EXAMINER	
BEYER WEAVER & THOMAS LLP			IP, SHIK LUEN PAUL	
P.O. BOX 70250			ART UNIT	
OAKLAND, CA 94612-0250			PAPER NUMBER	
			2837	

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/773,768	Applicant(s) SHIMIZU ET AL	
	Examiner Paul Ip	Art Unit 2837	

PM

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/23/04</u> . | 6) <input type="checkbox"/> Other: ____  |

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## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawings filed on 2/6/04 are information drawings with hand writings and informal drawing figures. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-13 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Endo et al (6,058,036).

With respect to claim 1, Endo et al show in figure 1 that a main circuit 2 converts DC power 21 to AC power 23, a communication part 63, and a control circuit (4, 6).

With respect to claim 2, Endo et al show in figure 1 that a measuring part 4, a memory 61, and a comparing part 62.

With respect to claims 3-8, Endo et al show in figure 1 that the measuring part 4 measures the operating time based on a detection output from an external sensor (24, 25) to the sensor (42, 44, 45).

With respect to claims 9-13, see the description of figures 2 for the current tracing and the status data tracing part that stores status data in the memory 61.

#### ***Examiner's Comment***

The present invention is directed into a method of controlling a motor inverter (figure 2) according to the controlling functions as shown in figures 3-5 of the invention to produce the controlling function as shown in figure 12 of the invention. However, claims 1-13 as presented are diverged from the subject matter of the invention. Applicant should rewrite the claims in view of the subject matter as shown in figures 1-5 of the invention for the controlling function as shown in figure 12 of the invention for reconsideration.

#### ***Citation of Pertinent References***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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The patents to Younger et al (6,160,365 or 6,445,966 or 6,163,129 or 6,445,332) and Discenzo (6,295,510 or 6,434,512 or 5,995,910) disclose motor control network systems.

The patents to Sano (2003/0137270), Aoyama et al (5,990,638), Kurakake et al (6,625,498), Suzuki (2004/0207349), Shidara et al (5,963,444), and Mito (6,430,634) disclose PLC motor control systems including a network system for controlling motors.

The patents to Fujishima (5,850,338), Giamona et al (2004/0002778), Heinemann et al (2002/0049505), Matsubara et al (6,566,836), Potter et al (6,150,776), Katagiri (5,742,143), Uchida (6,147,469), Katagiri et al (5,619,111), Jakobsen et al (4,259,621), Uehara et al (5,253,902), and Hashimoto et al (6,396,030) disclose motor control network systems.

### ***Communication Information***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Ip whose telephone number is (571)-272-1941.

The examiner can normally be reached on Monday to Friday from 6:30 am to 3:00 pm Eastern time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin, can be reached on (571)-272-2107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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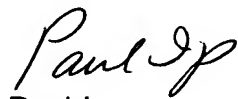
published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).



Paul Ip  
Primary Examiner  
AU 2837